

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 17 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 29 1978 under 35752

The applicant **Somersett Development Company Ltd.** hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 11489, Certificate 4827 (Claim 249 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America Plaintiff vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3.)**

1. The source of water is the **Truckee River.**
2. The amount of water to be changed **Claim 249 – 0.56 acre-feet; along with a pro-rata share of the diversion rate.**
3. The water to be used for as **Decreed.**
4. The water heretofore permitted for as **Decreed.**
5. The water is to be diverted at the following point **within the SW¼ of the SW¼ of Sec. 14, T19N, R18E, MDB&M, from which the SW corner of said Section 14 bears South 58° 30' West a distance of 1400 feet. Map filed with permit #35752.**
6. The existing permitted point of diversion is located within **The NE¼ of the NW¼ of Section 19, T19N, R19E, MDB&M or at a point from which the Northwest corner of Section 20, T19N, R19E, MDB&M bears S 88° 05' E a distance of 2,620 feet. Lake Ditch per Orr Ditch Decree. The existing POD of the Southside Canal was changed to Lake Ditch by Permit 11489, Certificate Number 4827.**
7. Proposed place of use **Portions of the following sections: S½ of Sec. 1, Sec. 2, Sec.3, Sec.10, Sec.11, Sec.12 and N½ of NE¼ of Sec. 13, T19N, R18E, MDBM and the SE¼ of the SE¼ Sec. 35, T20N, R18E, MDBM. See the map associated with change application number 66535.**
8. Existing place of use **Permit 11489, Certificate 4827 (Claim 249) – 0.14 ac. in the SE¼ SE¼, Section 14, T19N, R19E, MDB&M TR-108 parcel number: 014-224-25.**
9. Use will be from **As Decreed to as Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted by existing motor pump, still well system and pipeline to place of use.**
12. Estimated cost of works **Completed.**
13. Estimated time required to construct works **Completed.**
14. Estimated time required to complete the application of water to beneficial use **1 year.**

70123

15. Remarks: For use in irrigation of golf course and landscaping.

By s/ Mary C. June
Mary C. June
500 Damonte Ranch Pkwy. #1056
Reno, NV 89521

Compared gkl sc lt/gkl

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Permit 11489, Certificate 4827 which changed the point of diversion of Claim No. 249, Truckee River Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 0.0875 acres within the described place of use and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources. The period of use is as decreed.

The issuance of this permit fully abrogates 0.56 acre-feet per season associated with the 0.14 acres under Truckee River Claim 249 as described in the existing place of use.

The issuance of this permit is for the consumptive use portion only, being 2.5 acre-feet per acre of the base right. The remaining portion of the base right will remain in the river for use by other decreed right holders.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.004 cubic feet per second, but not to exceed 0.35 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 21, 2006

Proof of completion of work shall be filed on or before:

August 21, 2006

Water must be placed to beneficial use on or before:

July 21, 2007

Proof of the application of water to beneficial use shall be filed on or before:

August 21, 2007

Map in support of proof of beneficial use shall be filed on or before:

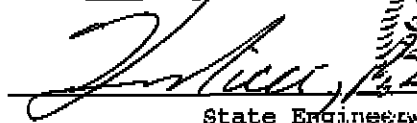
August 21, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office

this 21st day of July A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

